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# AN ANALYSIS OF

# DEATH AND MOURNING IN TALMUDIC LITERATURE

# AND RELATED MATERIALS

by

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of the requirements for the Master
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## Digest of contents of thesis

The author has undertaken the task in this thesis to examine some of the basic concepts of death, the methods of handling the corpse and its disposal, and to find some of the principles used in the Talmudic period for working through the grief situation. The basic approach has been to correlate knowledge of Talmudic sources with that of other cultures and of modern psychological methods and understandings. Therefore our major field of analysis was the Talmud, in particular the Tractates Moed Katan and Semacoth, as well as such works as Magic, Science and Religion, and Peace of Mind. The work does not pretend to have exhausted the available materials, but to have traced some of the patterns and to have grasped the Talmudic logic involved in death and mourning.

Our study has revealed a depth of wisdom displayed by the rabbis, because they created a system of duties and prohibitions which served as effective vehicles by which the mourner could break away from his dependency on the deceased, and to reintegrate himself into the community. The study has also revealed that, while the origins of many of the laws are buried in primitive cultures, many of the attitudes of these more primitive times remained in the Talmudic period. Such an attitude was a belief in spirits of the dead, and their relationship to the lives of the living.

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## INTRODUCTION

In the face of the greatest mystery of all, death, mortal man stands helpless. "That undiscovered country from whose bourn no traveler returns" indeed "puzzles the will". Finite man searches for answers about the infinite which do not exist for him. The death of a loved one confronts him with two basic problems:

1. the pain and mystery of the loss of one who had been close to him, and whose life had made his own existence meaningful.

2. the baffling puzzle of his own existence, which problem becomes more acute at the time of the death of another.

From the very dawn of his appearance on the face of the earth, man has searched for answers to these problems and has attempted to explain satisfactorily the cause and meaning of death. He has also struggled for means and techniques to assuage the blunt and terrifying pain which is felt at times of sorrow. As he has evolved from a primitive superstitious ignorant creature to a sophisticated rational intelligent being, man's attitudes toward death and his methods of handling the death situation have also evolved.

It will be the effort of this author to examine some of the basic concepts of death and to investigate those areas closely associated with death, namely burial, grief and mourning. Our major area of investigation will be the cultural and religious world of the Babylonian Talmud. The major task will be to delineate the themes and motifs used by the Jewish people of the Talmudic-period in handling the death and grief situations and to point out basic mechanisms. However the study will not limit itself to the world of Talmud alone. It will consider more primitive attitudes

and approaches to death and mourning. Recent studies in psychology and sociology will be used to deepen and analyze the insights of both the primitive and Talmudic worlds. Thus cultural and psychological as well as theological and Talmudic principles will be considered in this study of techniques and relationships in the area of death.

The noted anthropologist, Clyde Kluckhohn, has said:

> But the sentiments of men are determined not only by the great dilemmas which face all humanity but also by the peculiar historical experiences and the peculiar problems posed by the varying physical environments of each people. . . . . As a result of the accidents of history, every people not only has a sentimental structure which is to some degree unique but also a more or less coherent body of characteristic presuppositions about the world.(1)

It is within this frame of reference that the author operates in the attempt to trace growth and development of principles of death and mourning.

For this philosophy of an integrated scientific approach to the Talmud and the question of death and mourning, the author wishes to thank the co-referees, Dr. Alexander Guttmann, Professor of Talmud and Rabbinics, and Dr. Robert Katz, Coordinator, Department of Human Relations. Their patient help and inspiring teaching have been instrumental in the formulation and the investigation of this subject, and in the personal maturity and intellectual growth of the writer. Thanks must also be given to Chaplain James Burns of the Massachusetts General Hospital and Miss Ina May Greer of the Department of Psychiatry, Massachusetts General Hospital, whose sincere devotion and dedication to the sick and the suffering has given this writer deep understanding and insights into the field of grief and mourning.

Out of the author's own suffering and loss of his beloved father at an early age there has arisen a quest and a search for meaningful answers for himself and his own grief

situation. If this study has aided even in a small way to increase knowledge in this field which will be of aid to others, he will be rewarded in his task.

1. Clyde Kluckhohn, Readings in Social Psychology
Newcomb, Hartley and others
New York, Holt, 1947

# CHAPTER ONE

## CONCEPTS OF DEATH

Modern man accepts death as an absolute fact and undeniable reality. The common cliche, so often heard, that there are only two certainties in life, death and taxes, points out unmistakedly modern man's acceptance of death as an inherent part of his world. The ancient and primitive mind, however, did not have this conception of absolute death as the ultimate end of man. His attitude toward death differed in two major respects.

In the first place, the primitive conceived of a time when death did not exist. A description found in the Egyptian Pyramid Texts states that:

> When heaven had not yet come into existence
> When men had not yet come into existence
> When gods had not yet been born,
> When death had not yet come into existence.(1)

This description finds a parallel in the Gilgamesh Epic of Babylonian literature.

> Gilgamesh, whither are you wandering?
> Life, which you look for, you will never find.
> For when the gods created man, they let
> Death be his share, and life
> withheld in their own hands.(2)

Thus there was originally no death. Only a later intervention caused the culmination of a more basic phenomenon, life eternal. This theme is clearly evident in the third chapter of the Book of Genesis. Adam and Eve live in a state of heavenly bliss and earthly immortality. Sin robs them of this perfect condition and brings them death. The instruments of death in the Biblical narrative were the snake and the woman. In the legends of many peoples outside of the Biblical lands, death or-

iginated as disobedience to the gods. (3) The enmity or slackness of one of the lower animals is also regarded as the cause of death.

The intervention of the snake is also connected with the Gilgamesh Epic. The hero Gilgamesh is haunted with the idea of death. He seeks a means of escaping from death. Discouragement does not stop him or halt him in his search for an elixir of life. He eventually seeks out the god, Utnapishtim, but the god cannot help him. When he is about to leave Utnapishtim, he is told about a plant that grows at the bottom of the sea and which rejuvenates him who eats of it. Gilgamesh finds the plant, but it is snatched away from him later by the snake. Thus snakes do not die according to the story, but they slough off their old bodies in old age and are reborn.(4)

The author of the book of Romans traces the origin of death also to sin:

> Therefore as sin came into the world through one man and death through one sin, and so death spread to all men because all men sinned. Sin indeed was in the world before the law was given, but sin is not counted where there is no law. Yet death reigned from Adam to Moses, even over those whose sins were not like the transgressions of Adam, who was a type of the one who was to come. (5)

In an earlier period, Ben Sirac connects death more specifically with the sin of the woman:

> From woman did sin originate
> And because of her we all must die.(6)

The rabbis connect the origin of death also with sin.

R. Ammi said: There is no death without sin. An objection was raised by citing a conversation between the ministering angels and God. God imposed the death penalty upon Adam for he violated a simple command. R. Simeon b. Eleazer said with reference to Moses and Aaron that they died through their own sins,

for it is said:

Because ye believed not in me. (7) (8)

Death was also caused by such agents as witchcraft, the spirits of the dead, and by messengers of the gods.( 9). The primitive mind, even when it discarded a common origin of death, saw in each death an unnatural occurence and therefore it had to find a basis for this unnatural act. In rabbinic literature, many references to the Angel of Death, מלאך המות, are found. In Moed Koton 28a, for example, the Angel of Death is cited in connection with the death of several rabbis. To note one such case, the Angel of Death is not able to seize R. Hisda until the rabbi interrupted his studies, and his studies are interrupted only by an act of the Angel of Death. Thus the Angel of Death cannot take possession of a man of complete goodness(in this case characterized by perfect never-ending study)until the man is removed from his perfect state by an interruption. Semocoth 3:10 says that an elder( זקן) who eats the heleb or who profanes the Sabbath will die by divine visitation. Here death is caused by one's own sin, and through an act of God.

Thus the primitive and ancient looked upon death as an unnatural phenomenon. In another way he viewed death differently from the modern. He did not conceive of death as the final ultimate extinction of the human personality. The dead were not dead. They lived in a very real sense for periods ranging from the physical death until the closing of the grave or even until years later. In some cultures there were annual visits by the dead at the time of holidays and festive occassions.

Theodore Gaster gives many examples of the return of the

dead as spirits. In Babylon it was thought that the dead came up from the netherworld in connection with the annual wailing for the god Tammuz, the ousted god of fertility, while in Egypt it was the custom at Suit to kindle lamps on the first and last days of the year in order to lead the dead back to their homes, a practise which survives in the Christmas Halloween on October 21, the eve of what was originally the New Year and what is now celebrated as All Saint's Day.

Similarly the Romans prefaced their cycle of spring festivals with the Parentalia, or Feast of the Ancestral Dead, while at the present time the Zuni of New Mexico will not begin their summer dances until they have visited the sacred lake of the dead, just as the Jews make a point of visiting the cemeteries during the month of Elul. The Siamese hold that the dead return at their New Year feast in April, while the ancient Celtic winter festival of Samhain included a feast of the dead, and among the Huzul of the Ukraine, honey is provided for deceased ancestors at Easter and Christmas, and God is besought to " let all the dead and lost return and drink with us." (10)

Many cultures have a philosophy of metampsychosis or transmigration of the soul which in essence is an attack against the concept of death as the final end. A classic study,"Baloma, The Spirits of the Dead in the Trobriand Islands", by Malinowski, shows this quite clearly. The natives of these South Pacific Islands had three beliefs about death. One belief was that the soul separated from the body after death. The loss of the physical person was of great concern to the total community, and its members perform certain ritual observances, which center around the dead man's body. The second and third beliefs center about the soul. After death there is not only separation of the soul

but also a splitting of the soul into two parts. One of these spirits, the "baloma", the Islanders believed would reappear eventually in another body. The other spirit, the "kos", or ghost of the dead man, will lead a short and precarious existence after death near the village, and about the usual haunts of the dead man, such as his garden, or the sea beach, or the waterhole.(11)

The psychiatrist Paul Schilder has cited in his book, Goals and Desires of Man,(12), a study which lends support to a generalized theory of primitive attitudes toward the dead. This theory, that the primitive generally conceived of two components of the soul, is backed by the study of Levy-Brühl quoted in Schilder's work. The primitive, said Levy-Brühl saw no barrier separating the living from the dead during the first week or two following death. He lived with the corpse and treated the corpse as if it had all the attributes and powers of a living individual. The primitive brings it food, listens for its counsel and regards the spirit as a vital being until signs of decomposition appears in the body. The first part of the funeral ritual lasts up to this point. In the second part of the ceremony the spirit has been prepared and ordained for its ghost life and the body can be immediately forgotten as an individual. In many tribes the medicine man looks carefully for the first signs of decay. Among certain American aborigines a body that does not decay is looked upon with dread and is regarded as an ill-omen. The key point in this study, however, is the fact that among the Egyptians as among other groups, the dead are conceived of as living at the tomb or at least in the neighborhood of the tomb and must therefore be equipped for the hereafter. Along with this idea of the spirit of the dead

remaining close to the physical remains, there existed the opposite view among the Egyptians and others that the departed had flown to some far-off blessed realm. (13)

These two themes can be found in Biblical and post-Biblical literature. In the Bible a clear example on one aspect is the rising of the spirit of Samuel from the dead.(14). The denunciations of the prophets against witchcraft and sorcery, the bitter criticism of those "that divined by a ghost or a familiar spirit"(15), who"seek unto the ghosts and the familiar spirits"(16) indicate that many did accept the existence of ghosts and the spirits of the dead. The other part of this picture, the return of the spirit unto God, will be discussed later.

The Talmud has many such references. Here the two themes are clearly delineated.

> R. Abbahu said: The dead man knows all that is said in his presence, until the top-stone closes the grave. R. Hiyya and R. Simeon b. Rabbu differ therein. One maintains, until the top-stone closes(the grave), while the other one says, until the flesh rots away. He, who says, until the flesh rots away, does so because it is written: But his flesh upon him hath pain and his soul within him mourneth." He who says, until the top-stone closes(the grave)-does so because it is written,"and the dust returneth to earth as it were, and the spirit returned to God." (17)

> A certain Sadducee said to R. Abbahu. You maintain that the souls of the righteous are hidden under the Throne of Glory: Then how did the necromancer who used bones bring up Samuel by means of necromancy(1 Samuel 28:7). There it was within twelve months of death, he replied. For it was taught: For twelve full months, the body is in existence and the soul ascends and descends. After twelve months the soul ceases to exist and the soul ascends and descends nevermore.(18)

These two passages offer evidence that the soul or spirit of the person was not considered absolutely dead after physical cessation in the sense the modern mind understands, but he lived on in a spiritual, but nevertheless, real form. These examples illustrate the return of the soul unto God,

and the existence of the soul on earth for a period of time after death. Several passages in Beracoth 18b give examples of conversation between the living and the dead and between two spirits. One such story relates the adventures of a pious man, whose wife scolded him on New Year's Eve and he went to spend the night in the cemetery. There he overheard a conversation between two spirits. From this conversation the man was able to plant his crops at the right time, for the spirits had accurately predicted the weather for the coming year. He went a second year, and again received the correct weather information. The third year he returned, but the spirits refused to discuss the weather for they had heard(probably from someone who had died in the interim) that their conversations were being overheard.(19). There are other passages, such as the conversation between Samuel and his dead father, and then with the spirit of Levi, or between Zeiri and his dead landlady to whom he had entrusted money for safekeeping. R. Hiyya and R. Jonathan discuss the question of dragging the fringes of the tallith. R. Hiyya said that R. Jonathan should lift up the fringes in order that the dead should not say that tomorrow they are coming to us, but today they are reproaching us.(19) That the dead were conceived of as having sense perception is illustrated by the statement of R. Isaac: Worms are as painful to the dead as a needle in the flesh of the living, as it is said: But his flesh upon him hath pain.(20)

Let us briefly look at the Biblical and rabbinic attitudes toward resurrection and immortality to find support for athis theory of death which denies death. Briefly it may be said that the Biblical picture of life after death was that of a very bleek dreary type of existence, a land of Sheol, the netherworlds.

The books of Koheleth and Job in particular give expression to this philosophy. For example, Koheleth tells us:

> For to him that is joined to all the living there is hope for a living dog better than a dead lion. For the living know that they shall die; but the dead know not any thing, neither have they any reward; for the memory of them is forgotten. As well their love, as their hatred and their envy, is long ago perished; neither have they any more a portion for ever in any thing that is done under the sun/ . . . . Whatsoever thy hand attaineth to do by thy strength that do; for there is no work nor device, nor knowledge, nor wisdom, in the grave, whither thou goest. (21)

Or, in the words of Job:

> But man dieth and lieth low,
> Yea, man perisheth and where is he?
>
> As the waters fail from the sea,
> And the water is drained low;
>
> So man lieth low and riseth not.
> Till the heavens be no more, they shall not awake.
> Nor be roused out of their sleep. (22)

From this negative view of existence after death there gradually developed the idea that the righteous will achieve conquest over death.

> In the way of righteousness is life,
> and the pathway thereof is no death. (23)

Gradually a belief in resurrection made its appearance. The prophet Hosea stated that God would revive man and on the third day after death He would rise us up that we might live in His presence.(24). Elijah brought back the child from death.(25) Ezekial pictured a valley of dry bones that would come to life.(26) In the Maccabean period Daniel envisaged a resurrection of the righteous.

> And many of them that sleep in the dust of the earth shall awake, some to everlasting life, and some to reproaches and everlasting abhorrence. And they that are wise shall shine as the brightness of the firmament; and they that turn many to righteousness as the stars forever and ever.(27)

The teaching that there is a life after death, and that the dead will be resurrected from their graves is quite

evident in rabbinic teachings. The rabbis made resurrection, תחיית המתים, one of the fundamental doctrines of Judaism. The rabbis used such legends as the restoration of King David to life for a short period of time at the dedication of the Temple in Jerusalem(28) or the return to life of a slave of the Emperor Antoninus(29). At the time of the final resurrection the Messiah would first appear, and those who were buried in Palestine would be the first to be revived.(30).

R. Eleazer believed that the dead outside of Palestine would not be resurrected at all, but R. Abba b. Memel raised an objection to this position. R. Elai replied to R. Eleazer that the dead would roll to the land of Israel and then be revived.(31).

In regards to כת הצדוקים , the Sadducees and the Pharisees disagreed violently. Josephus stated the Sadducee position accurately when he said:

> But the doctrine of the Sadducees is this: That souls die with the bodies.(32)

The Pharisaic position was to support the doctrines of resurrection and "Olom Habo". From the Pharisees the rabbinic attitude to resurrection grew. Jesus shared with the Pharisees the doctrine of resurrection. The main objection to Jesus by the Sanhedrin, which consisted mainly of Sadducess, was the question of resurrection.

Other indications of a faith in eternal life are the many stories of death atwhich time a בת קול announced that this person who was to die was destined for eternal life. Such a tale is told of the martrydom of R. Hanina b. Teradyon, to whom a בת קול promised life in the world to come. The

same promis was made to the executioner who sped the passing of the rabbi.(31)

In summary, it can be said that the attitudes toward death were different in the Talmudic world from our own. A closer kinship with the dead existed. Their belief in life after death was based upon a belief in communication between mankind and the spirits of dead, and a type of life which was like the life of the living. Such metaphysical problems as the conservation of value, the nature of God, the leap of faith, which trouble this world, did not play any influence in their world. The Talmud served as a storehouse of the myth produced elements of the total Jewish heritage, up to that time. Other societies, faced with the same problems, produced similar theories of death and created similar patterns of expression to handle the total death situation. In succeeding chapters other similarities will be noted in the treatment of the corpse, burial, and mourning.

## NOTES TO CHAPTER ONE

1. Henri Frankfort et al, Before Philosophy, p.23
   Harmondsworth-Middlesex
   Penquin Books,1949

2. ibid., p. 23

3. James Hastings, Encyclopedia of Religion and Ethics
   Charles Scribner's Sons,1912
   New York
   Volume IV, p. 411

4. Before Philosophy,p. 224

5. Romans,5:12

6. Ben Sira 25:24

7. Numbers 20:12

8. Shabbath 55b

9. Encyclopedia of Religion and Ethics, p. 412
   (all references from Hastings are in Volume IV)

10. Theodore Gaster, "Yizkor; The Living and the Dead"
    Commentary Magazine, Vol. 15, Number 3
    March 1953, p. 239-240

11. Bronislaw Malinowski, Magic, Science and Religion
    Garden City, New York
    Doubleday Anchor Books,1954
    p. 151-153

12. Paul Schilder, Goals and Desires of Man,
    New York, W. W. Norton and Co.,1942
    p. 106-107

13. ibid, , p.108

14. I Samuel 28:14

15. II Kings 21:5

16. Isaiah 8:19

17. Shabbath 152b

18. Shabbath 152b-153a

19. Berâcoth 18b

20. Shabbath 152a

21. Koheleth 9: 4,5,6, 10

22. Job 14:10-12

23. Proverbs 12: 27

24. Hosea 6:2

25. 1 Kings 17:23

26. Ezekial 37

27. Daniel 12:2

28. Exodus Rabbah 8:1

29. Leviticus Rabbah 104

30. A. Marmorstein, Studies in Jewish Theology
London, Oxford University Press, 1950
p. 160 -citing Toma 71a

31. Ketuvoth 11 a

32. Josephus, Antiquities XVIII.i.4
Loeb Classical Library,
New York,

33. Avodah Zorah 18a

# CHAPTER TWO

## THE DYING AND THE DEAD

[1] מת בן יומו הרי הוא כחי לכל דבר
לענין שלא יהו משכירין ולא חולצין ולא מספדין
עליו ולא מכניסין ארון לבית עד שעה שימות [2]

The moribund is like the living person in all respects. . . . They do not rent (their garments for Him) and they do not remove their shoes, and they do not lament for him and they do not bring a coffin into the house for him until the hour that he dies.

The first verses of the minor Talmudic tractate on death, euphemistically called שמחות, or "festivities, begin with a practical statement of the basic religious principles of Judaism, the sacredness of human life. The dying person is to be treated as living, and he should be respected. This attitude of honor for the moribund is not common in all cultures. Some groups abandon the dying to their fate by taking him out of his bed and lying him on the earth. (3) There were houses for speeding death. Two reasons advanced to explain these inhuman practises were the universal abhorrence of death and the horror of a corpse, and also the economic unfeasibility of keeping alive a useless person.(4)

The Jews took the opposite view, that it was a religious duty to visit the sick and dying, and to encourage them in their struggle for life. The rabbis had special prayers by which one should address the sick.

R. Judah said: May the Omnipresent have compassion upon you and the sick of Israel.

R. Jose said: May the Omnipresent have compassion upon you in the midst of the sick of Israel.(5)

The principle of helping the sick and respecting the moribund was carried to such an extreme that:

He who closes the eyes of the moribund at the going out of the soul was considered as one who shed blood.(6)

The universal custom to close the eyes of the dead was in line with the general fear of the dead. The strange stare of the opened eyes was a source of fear and many peoples closed the eyes before death.(7). Cicero mentions this practise.(8) The Jews forbade this practise of closing the eyes of the dead on the Sabbath. However there was an indirect way of accomplishing this end without touching the eyes.

Rabbi Simeon b. Gamaliel said: If one desires that a dead man's eyes should close, let him blow wine into his nostrils and apply oil between his two eyelids and hold his two big toes. Then they close of their own accord.(9)

The time of one's death was considered as an important sign to observe, for it indicated whether the death was at a propitious or evil occasion. For example, he who died "erev Sabbath" had a good sign, whereas he who died at the going out of the Sabbath had an evil omen.(10)

Immediately after the going out of the soul, there were many duties incumbent upon the living. He who was in the presence of the dead person at the time of death was supposed to rent his garments immediately.(11) The organs of the deceased were closed.(12);this was also done by the Arabs. The purpose of this was to eliminate the foul smelling odors which exude from the dead body, particularly in the hot countries where the rate of decomposition is very rapid.(13) Another possible explanation is the attempt to prevent the spirit of the dead person from escaping and causing trouble

to the living. The body is then placed on a board and washed with water, mixed with spices, and then anointed with oil or wine.(14) Washing and anointing was also done on the Sabbath.(15)

Washing and anointing was commonly practised in all other groups of ancient times. (16) Perhaps these practises were a remnant of an older time when embalming was the common form of preparing the corpse. The Bible lends some support for such a hypothesis by its description of the embalming of Joseph.(17). This practise was very common among the Egyptians. As Schilder shows, the common conception of death is that one enters a state of perfect peace. The body is preserved and well groomed. The most difficult thing for the human being to realize is his own death, and the complete dissolution of his physical self. At the same time one realizes that the physical self does deteriorate and decay. Thus the idealistic concept is destroyed by the real awareness of decay and corruption of the flesh. This may well explain the custom of washing and anointing the body to stay the inevitable.

The washing water had myrrh and aloe in it. Two of the gospels, Luke and John, report that the followers of Jesus prepared a mixture of spices and ointments(18) and a mixture of aloes and myrrh(19) to prepare the body of Jesus. Beracoth 53a says that the spices of the dead were used for the removal of the bad smell.

Rashi, on the word פיגר says that the purpose was to remove the stench of the dead.

Cooling vessels and metal vessels were brought and placed on the stomach of the corpse in order that it should

not swell. (20). R. Levi said in the name of R. Pappa in the name of R. Joshua that the stomach burst after three days(21). The body was frequently placed on sand and salt to slow down the decay of the body.

The hair and fingernails of the deceased were cut and the corpse was wrapped in a shroud. When the witch of Endor raised the spirit of Samuel from the dead, he appeared wrapped in a shroud.(22). The New Testament notes that the body of Jesus was wrapped in a linen cloth. The Talmudic passage which throws most light on this subject is the passage from Ketuboh 8b which also appears in Moed Koton 27B.

קדמיילנ ה'תה סוכ את המת קשה
לקרוביו יותר מאותתו של שניו מניחין
אותו וקורעין עד שיצא רקב ומנגעל לבסוף
עלות קדמו ועוכ אותו ככל בשתן ובסוף
כל העם אחריו עכו ככל בשתן

Formerly the burial of the dead was more difficult for his relatives than his actual death so that, as a result they would leave him and flee, until Rabban Gamliel introduced an easier custom for himself that they would bury him in garments of linen and all the people adopted the custom after him to bury the dead in simple white garments.(free translation)

Thus a cheaper shroud was introduced which would not embarrass the poor or make it difficult for them. The color of the garment was usually white, to indicate purity. One rabbi indicated his own inability to accept for himselves the symbol of purity in the white color of the shrouds by his refusal to have white shrouds.

R. Johanan said when he was about to depart from the world: Bury me in colored garments, not white and not black, for if I shall stand among the righteous, I won't be embarressed, and if I shall stand among the wicked, I shall not be ashamed(in colored garments)(23).

R. Yoshiah, when he was about to die, said to those who were standing with him: Call my students for me. He said to them(the students): Bury me in white freshly-pressed garments. They said to him: And are you better than your teacher? He said to them: I am not ashamed of my deeds, thatI may be received before my Creator.(23)

These passages indicate an evolution in color and expense of the shroud. The shroud, which at one time was colored and a very expensive garment became a simple white linen cloth.

The body was then placed in a coffin. The coffin, אלון and the shroud, תכריכין , were the absolute minimal requirements which had to be provided for the corpse. The body was placed in a prone position in the coffin with the head facing upward. A squat or sitting position which was common among other peoples was forbidden.(24). The coffin itself was made of cedar wood, stone or clay.(25). The earliest reference to a coffin is given in Gen.50: 26 which tells of the death and burial of Joseph.

So Joseph died at the age of one hundred and ten years; and he was embalmed and placed in a coffin in Egypt.

It is quite likely that this coffin was not a coffin as we understand, but rather a mummy case(26). Originally there was no coffin, Later the coffin was developed to serve as a bier upon which to carry the corpse to the place of burial.(27). The coffin was conceived by the primitive to serve as a prison for the spirit of the dead and keep it safely locked away. The coofin was also felt to offer comfort to the dead person. In Talmudic times, the size of the coffin was the size of the normal person, approximately 6 feet long(ארכו ששה), 1½ feet wide and as high as needed.(28)

Since the belief still persisted that the soul remained in contact with the corpse, certain objects were placed in the coffin with the corpse. This custom went back to the very beginnings of human civilization(29). When a man died, his entire property was destroyed or left with the body, whether the body was buried or simply exposed. In addition to the explanation that the property served the needs of the dead, the destruction of the dead person's property may have been caused by the strong taboo associated with the articles of the dead. These were considered polluted, and if used, evil would result.

Interesting examples of primitive attitudes toward the property of the dead are given in Abram Kardiner's book, Psychological Frontiers of Society.(30). The Plateau tribes of the southwestern section of America destroyed all the property of a dead man. The Comanche, on the other hand, who had acquired far more property than the Plateau tribes, were uncertain what to do. Apparently they started out by following the regular Plateau pattern of destroying property; however, with the arrival of horses, they had a real problem. Destruction of large amounts of livestock resulted in a very serious economic loss. Wanton destruction was very repugnant to the Comanche. They solved the problem by killing the man's favorite horse and only a few others; and thus they saved the bulk of the man's livestock. However all the man's bedding, his clothing and his favorite possessions were buried with him. Because of the amount of the property buried with the dead, there was much grave robbing. The fear of the spirits of the dead was not as strong as in other cultures.

Most peoples have learnt to cut down the amount of

property destroyed to comparatively small amounts, destroying only a token/from the goods left behind by the deceased. Objects were often broken over the grave to prevent grave robbing and to release the spirit of the article so that it might accompany the dead on its journey.(31).

In the writings of Josephus we have the statement: that kings were buried with diadem, crown, and scepter.(32). Treasures have been found in the coffins of some of the kings. The Bible reports burning for kings which may well refer to the destruction of the property of the kings by burning them at the time of burial. Jeremiah promises Zedekiah that:

> you will die in peace and with the burnings of thy fathers the former kings that were before theee, so shall they make a burning before thee.(33).

Semacoth uses the expression שרפו שרפה למלכים, "they were making a(great)burning for kings". (שמחות ט)

In the Talmudic period large destruction of property either by burning or by burial with the corpse ceased. There was, to be sure, burial of some property but of relatively inexpensive articles. For example, in Semacoth 12:11 :

אבא שאול בן בתנית אומר לבניו: חפרו לי תחת מרגלותיו של אבא, והניחו תכלת מעלי.

Abba Saul the son of Batnit said to his sons: Bury me under the the foot-end of my father and leave for me the blue-purple of my mantle.

The bridegroom was buried with a pen and ink in order to be able to write a K'tuvoh.(34). Working tools were placed in the coffin of the dead, as frequently was the writing pen of the deceased.(35). One may find in Semocoth 9 a prohibition against leaving property in the coffin.

כל המרבה בכלי קבורה הרי זה עובר משום "לא תשחית".

All who increase utensils for the dead, behold this is a transgression because of the "Thou shalt not destroy".

To return to the corpse, after the body was placed in the coffin, a light was placed at the head of the corpse and the body was carefully guarded. An Agada says that one must guard the body of a dead king, but not the body of a day old infant, for animals have fear of the latter, but not of the former.(36)

The body was carried to the grave on a bier. The bier bore the coffin (unlike the Egyptians and the Romans). Originally the death bed was used for a bier(37). Such a bed was of wood frame of straight shape, and stood on short feet. Short metal pieces were stuck onto the wood frame through which the ropes as through rings were drawn so that the bed became known as a סדין . Earlier biers were made of expensive materials. The rich used for the dargesh a tall ornamental bed. The poor used a simple box- כלי קה . However there was an evolutionary process here as with the shroud which resulted in a similar bier for both.

קדאשלנה הין אזלי אין עשירים קדרכש
ועניים קכלי קה, ומין עניים אתקוישים - התקינו
שיהן הכל אזלי אין קכלי קה מכני כבוד של
עניים.

Formerly they were bringing the rich (for burial) on a dargesh and the poor on a calibah, and the poor were being made ashamed. They ordained that all would be brought forth on a calibah, because of the honor of the poor.(38).

## Burial

Aside from the specific manner of disposal which will be considered later, there are some important general considerations about burial to be discussed. The first one is the question of necessity; to remove a foul-smelling corpse from the midst of the community, particularly in the hot lands

of Palestine and Babylonia. Yet there are other aspects of the question of burial. Why was burial necessary for the Jew and opposed by the Persians? Why did the types of disposal vary so markedly?

The best analysis of this question found by the writer is an article by Moses Buttenweiser,"Blood Revenge and Burial Rites in Ancient Israel".(39) Dr. Buttenweiser said that among the Semites and the Greeks, the notions and practises pertaining to burial and bloodshed find their ultimate explanation in a once existent worship of chthonic gods. It was the province of such a god to receive back into her lap the spirits of the deceased. On all those who either directly or indirectly prevented any of her children on entering its realm such a god in unison with other chthonic gods would wreak vengeance by withholding the blessings of the soil. Therefore to leave a body unburied was a flagrant religious offense. Not only was it necessary to bury the corpse, but the belief was prevalent that burial was necessary in one's native land, for only there in the domain of one's native gods was it possible for those burial rites to be performed which were held essential for the soul's rest in the netherworld. The many phrases found in the Bible which say: "buried with his fathers" and the common practise of placing some soil from the land of Israel in the coffin of a person buried outside the land, the transporting of bodies from outside the land of Israel to Israel for burial, support this analysis.

The Persians, on the other hand, took the view that the corpse defiled the ground and left the body of the deceased exposed on the ground. A lengthy discussion in Sanhedrin 46 which gives various proofs for burial from Biblical verses begins with a question addressed to Rab Hama by the Persian king Shapir. The king questions the rabbi about the position of the Jews on this subject, for his religion taught otherwise.(40).

Some other types of disposal practised in various societies are:

1. cannibalism, or eating the corpse.

The orthodox Freudian analyst, Fenichel, sees a remnant of cannibalism in the practise of funeral repasts or meals closely connected with the funeral. Symbolically eating the food at such a meal is eating the corpse.(41)

2. sub-aerial deposit; that is, the body is left exposed for variable periods of time, then the bones are buried(usually). The best example of this are the Babylonians and the Persians, for whom the dead body contaminated the ground.

3. The problem of atonement played a part in this type of disposal. The Zend-Avesta felt that atonement was only possible through exposure to the air. The Jews, on the other hand, realized atonement through burial.(42)

A type of sub-aerial burial is practised in cold countries where the body is left exposed throughout the winter and only buried in the spring when the ground thaws.

4. cave burial

This was a very common means of disposal in the Biblical times and in Palestine, as we know from the many Bib-

lical references and from sepulchres discovered in Palestine. The first such reference is the passage in Genesis 23-the death of Sarah and her burial in the cave of Machpelah. Abraham too is buried there as are Jacob and Joseph. The obvious reason for the practise of cave burial is a practical one; in the rocky country of Palestine where caves are abundant and graves are difficult to dig, man uses what nature has provided for him, namely the cave. Isaiah 22:16 says that:

> What has thou here, and whom hast thou here,
> That thou hast hewed thee out here a sepulchre,
> Thou that hewest thee out a sepulchre on high,
> And gravest a habitation for thyself in the rock?

Nehemiah 2:3 speaks of "the city, the place of my father's sepulchre".

Elsewhere we have references to sepulchres, for example, II Kings 13:20. Sepulchres are obviously a refinement of the cave. Bertinoro in commenting on Mishnah Moed Koton 1:6, which prohibits hewing a כוכי or tomb-

niche during the festival week, says of כוכי - קאמרה שעשה הקבר

לקבורת עכשיו

> tomb-niche-in a cave which is under the ground and burial-places which are being made by building.

The Talmud in defining these words says that a כוכי Kukin is a recess made by excavation and a עקרכת (also mentioned in the Mishnah) as a trough. Eruvim 55b talks about sepulchral monuments and states what type of sepulchral monuments may be included within the Sabbath boundary of a town. Since the dead were considered as unclean and a source of priestly defilement, the common practise of all Semites was to place the sepulchres(and graves) outside the town.

4. water-burial-the corpse is cast into a body of water in order to prevent the deceased from returning to plague the survivors.

5. cremation-this is the ordinary mode of disposal in India among both the Aborigines and the Hindus. Cremation is convenient for tribes without a settled abode, it thoroughly removes the ghost from the bonds of this life, and fits it for union with the society of departed in the life beyond. (43)

6. grave

The present accepted means of disposal, burial, was not established in Palestine in the form that we know it today, namely a cemetery. In older times one buried the dead directly under the holy trees, on paths, in caves, or on high mountains. For the rich and the royal the burial took place in the vicinity of the house. Joab is buried in his own house in the desert.( 44), Manasseh is buried in the garden of his house. The death of the king is usually characterized by the statement that he was buried with his fathers. The belief that the dead was saved or blessed only when buried near their fathers is a common oriental attitude, as already seen.

A grave could not be prepared beforetime for a person about to die(45)but if it had been prepared for a non-Jew, one might bury a Jewish corpse therein. Non-Jewish grave diggers were permitted to work on the Sabbath to prepare a grave. It was forbidden to derive any benefit from a grave, a shroud, or any of the requirements of a corpse.(46). No animate object may be used as a covering for graves.(47). Each individual in the Talmudic period was obliged to own the grave in which he was buried(48). Many details are given in both the Mishnah and Talmud about graves, grave-mounds,buying and selling of graves(forbidden), etc.,would establish the conclusion that graves were the most widely means of disposing of the corpse.

There is one final act connected with the corpse itself which is worth considering. This is disinterment or the removal of the bones from one place to another. This amounted actually to a second funeral although all the rites of burial were not practised. Bertinoro says about the Mishnah 1:5 of Moed Koton,

A Man gathers the bones of his father and his mother: in the festival week in order to bury them in a dignified ~~large~~ place.

For it is a joy for him: when he sees them for he is burying them in the graves of his fathers and the law is not according to R. Meir in both instances.

Gathering the bones was permitted for one day only up to darkness but one could continue a second day if that additional time were required.( 49). The usual rites performed at funerals were not performed for the bones, except for the meal of condolence (50). One does not gather the bones until the decay of the flesh has been finished.( 51). R. Yohanon b. Nori says that one may not gather the bones for his father and mother, while Rabbi Akiba says one may(52). One who rents his garment for the dead at the time of death must rent at the time of the removal of the bones(53). It was considered disrespectful to carry the bones in the saddle-bag and place them upon the back of a donkey, except in times of danger when this was permitted.(54).

This concludes the discussion of topics related in particular to the corpse. The following chapters will be concerned with the functions of the mourners and community during the time of death and burial, and then the mourner after burial.

## NOTES TO CHAPTER TWO

1. Semocoth 1:1
2. Semocoth 1:5
3. Encyclopedia of Religion and Ethics, Vol. IV., p. 414
4. ibid., p. 414
5. Shabbath 12b
6. Shabbath 151b
7. Encyclopedia of Religion and Ethics, Vol. IV, p. 417
8. Cicero, Verr. V,45, cited by
   Dr. S. Klein, Tod und Begräbnis in Palästina zur Zeit der Tannaiten
   Berlin, Verlag von Louis Lamm, 1908
   p. 21
9. Shabbath 151b
10. Ketuboth 103b
11. Moed Katon 25a
12. Semocoth 1:2 and Shabbath 151b
13. Tod und Begrabnis in Palastina, p. 22
14. Semocoth 12:9
15. Mishnah Shabbath 23:5
16. Encyclopedia of Religion and Ethics, Vol.IV,p. 417; Bezah 6a
17. Genesis 50: 26
18. Luke 23: 50
19. John 19:39
20. Shabbath 151b
21. Ibid
22. 1 Samuel 28:14

22A. Berasith Rabbah 96

23. Ibid

24. Nazir 65 a

25. Moed Kôtôn 28

26. Tod und Begrabnis, p. 34

27. Ibid, p. 34-35

28. Mishnah Baba Bathra 6:8

29. Encyclopedia of Religion and Ethics, p. 429

30. Abram Kardiner, and associates — Psychological Frontiers of Society New York, Columbia University Press 1945

31. Encyclopedia of Religion and Ethics, Vol. IV., p. 430

32. Josephus, Ant. XVII,9,3(cited by Klein, p. 54)

33. Jeremiah 34:4,5

34. Semacoth 8: 2

35. Jer. Naz. VII,55d

36. Shabbath 151b

37. Moed Kôtôn 25a "The honor of a scholar requires that he be carried out on the first bier."

38. Moed Kôtôn 27b

39. Dr. Moses Buttenweiser, "Blood Revenge and Burial Rites in Ancient Israel"- Journal of the American Oriental Society Vol. 39, Part V,1912,p. 304-330

40. Sanhedrin 46 a

41. Otto Fenichel, The Psychoanalytic Theory of Neurosis ,p. 394 New York, W.W. Norton and Co. 1945

42. Encyclopedia of Religion and Ethics, Vol. IV, p. 420 Sanhedrin 46b

43. Encyclopedia of Religion and Ethics, Vol. IV, p. 423-424

44. 1 Kings 2:34 44A. II Chronicles 33:20

45. Semacoth 1

46. Sanhedrin 47a

47. Eruvim 15b

48. Baba Bathra 112 a

49. Semacoth 12:4

50. Ibid

51. Ibid,12:7

52. Ibid

53. Ibid 12:3 and Moed Kòtòn 23b

54. Semacoth 13:2

# CHAPTER THREE

## THE FUNERAL

In this chapter we will consider some of the acts and obligations, duties and customs by which the mourners participate actively in the immediate tragedy of loss and bereavement and in the funeral. It may be said that the funeral served two basic purposes. One was to remove the dead person from the society and to place him in his final "resting place", both in a physical and a spiritual sense. The feeling existed in ancient times(as already noted) that the dead were not really dead, and that the spirit of the dead could bring both good and ill to the living. Shakespeare ably describes the uneasy feeling widely held about the possible intervention of the dead into the affairs of men when he said:

> And Caesar's spirit ranging for revenge
> with Ate by his side come hot from hell,
> Shall in these confines with a monarch's voice
> Cry "Havoc" and let slip the dogs of war. (1)

Caesar died in an unnatural way, by murder, but was not death of any form considered unnatural? In all civilizations unquiet spirits might be released at death to roam the earth like the spirit of Caesar and torment the living. The notion was extremely common among the Semites, and many of the funeral customs developed among the Semites, as among others, which were basically an attempt to propiate the spirit of the dead. For example the renting of one's garment and the funeral repast have been considered just such customs, as will be seen. (2)

The second major purpose of the funeral was to relate the mourner and the community in a very intimate and meaningful relationship with the total death process. By intimate is meant that the mourners, more particularly the immediate family, ceased from their daily duties and the routines of their ordinary existence to devote themselves unreservedly to the needs of the corpse and the process of mourning. It may be said that the smaller the society the more involved does the total membership of the group become in the funeral.

> The death of a man or woman in a primitive group, consisting of a limited number of individuals, is an event of no mean importance. The nearest relatives and friends are disturbed to the depth of their emotional life. A small community bereft of a member, especially if he be important, is severely mutilated. The whole event breaks the normal course of life and shakes the moral foundations of society. . . . Death in a primitive society is, therefore, much more than the removal of a member. By setting in motion one part of the deep forces of the instinct of self-preservation, it threatens the very cohesion and solidarity of the group, and upon this depends the organization of that society, its tradition, and finally the whole culture.
>
> . . . . .
>
> The ceremonial of death which ties the survivors to the body and rivets them to the place of death, the beliefs in the existence of the spirit, in its beneficent influences, or malevolent intentions, in the duties of a series of commerative or sacrificial ceremonies-in all this religion counteracts the centrifugal forces of fear, dismay, demoralization, and provides the most powerful means of reintegration of the group's shaken solidarity and of the re-establishment of its morale. (24)

This fine passage by Malinowski accurately sums up the role of religion and culture as the force which re-unites and reintegrates the individual mourners and the society as a mourner after the tragedy of death. The importance of the individual member in the smaller group is obvious; and so too is the concern of the body of society with the loss of one of its members. In the culture described by the Talmud, many acts and duties fall on both the immediate mourners and the group, at the time of the funeral and in the period of mourning there-

The care of the body, performed in our society by the professional undertaker, must necessarily be done by the friends and the immediate family in small communities. There might be a burial brotherhood, which arranged for all the details and prepared the corpse. One might even have to interrupt one's study to attend to the needs of the dead(3), if one were needed(although a contradictory statement says:

אין מקשקשין ולא מתעסקין בהן

They do not interrupt their studies to attend to the corpse(4)

the prevailing attitude is better expressed by the passage in Ketuboth, that one does interrupt). The town was informed of the death(5) in order to honor the dead. Mourners had the responsibility of watching over the corpse(6). The watching of the body freed the watcher, even when he was not a close relative, from the usual religious duties of reciting the Shema and saying the Tefillah and laying on tefillin.(6)

An important act which was done at the death of a close relative was the renting of one's garments. The act of tearing is a universal act done by the mourner. There is something instinctive within man to mark himself in a physical way as a mourner. The prophetic denunciations against the practise of self-mutilation, of slashing and scarring oneself,indicates that these practises were common in the Biblical period. Rending, however, retains the more primitive self-destructive impulse in a less destructive manner. The cultural dynamics of both rending and self-mutilation serve dual purposes, to express sympathy to the dead and thus to deprecate the anger or ill-humor of the deceased at his separation, and also to avert suspicion of foul play on the part of the mourner.(7). Baring

one's shoulder is a similar symbol of mourning and grief(8).

Several Biblical passages may be cited to show that the custom of rending was wide-spread in Biblical times. Such Biblical personalities as Joshua(9) and Jacob rent their garments.(10). David commanded the people to rent their garments for Abner.(11) The Biblical mourner par excellence Job rent his garments(11a). The rabbis derive their proof for rending from the passage in Leviticus(12) in which the sons of Aaron were enjoined from rending their garments; and from this, it was derived that everyone else was duty bound to rent his garments.( 13) To rent one's garments prematurely was considered as robbing the dead(14). Samuel said that any rending not done in the flush of grief was not a proper rending.(15) All relatives were obliged to rent, except during the festival week when only the near relatives were obliged to rent and to bare their shoulders.(16) The laws of rending were, of course, far more encompassing and of a more stringent and intense quality when one's own parents had died. Thus the orphan(of any age) must rent all his clothes for his parents, not only the outer layer. He must rent his garments until he exposed his heart(or bared his chest); he must use his own hands to rent for his parents(not a knife); the ends of the rent may be tacked together after seven days and re-united after thirty days for the ordinary mourner, but in the case of an orphan, the ends were tacked together after thirty days and never re-united.(17)

An extremely fine psychological and religious insight was expressed, in the above connection, in a Baraitha in Moed Kôton.(18)

ט"ק :.... אבל מבני עשרה רבים

Children may be made to rent their clothes in order to stir up sadness.

Most psychiatrists agree that children should be given an opportunity to share in the sorrow and the outpouring of grief on his own level of feeling and emtion. Parents have done severe damage to young children by sending them away after a death, explaining little, if anything, to them about the death, and not permitting them to participate in the grief process. In the volume, Psychiatry and Religion, edited by Rabbi Leibman, Dr. Suzanne Van Amerongen that one cannot help the child by dragging him away and not discussing the event any further.(18A), and Rabbi Leibman said that children should not be excluded from family sorrow.(18B) The rabbinic insights are as meaningful now as they were then!

The funeral procession was often a united action of the whole community in accompanying the corpse. (19). Rules developed for arranging the participants in the funeral procession in a logical pattern. Behind the bier which was carried by the bearers and their replacements and their replacements(20) went the mourners. The pall bearers were excluded from the religious duties of prayer(Tefillah) and of putting on the phylacteries(21). The bier and the mourners were followed in some places by women, in other places by men. In other places, the order of male-female was reversed.(22). With very few exceptions (see below) mourning women(professional wailers) were required at all funerals. The place of the M'konn'noth was originally before the bier, as among the Egyptians(23);but local custom in Palestine dictated where the women walked.(24).

The funeral procession began at the house of the deceased, and stopped at least seven times on the circuitous

route to the grave. Only in the case of a very outstanding rabbi did the procession go the synagogue for a funeral eulogy. The purpose of stopping at least seven times can be explained in several ways. One reason was to permit changing of the pall bearers. The halts were said by some scholars to have designed to confuse the spirit of the dead so that it could not find its way back to the house, and also to frighten away any evil spirits that might be following after the corpse.(25) (26). At these halts the wailers sang their dirges.

Wailing is one of the most characteristic expressions of grief and of mourning. To give vent to one's feeling of anguish and sorrow through crying and wailing has been an instinctive and intuitive reaction of man in the face of loss. The natural unaffected original approach has been molded and changed into formalized patterns by all societies. The insane hysterical screamings were turned into a more formalized established ritual of wailing. The basic reasons for wailings have been attributed to other factors besides the desire to express one's loss verbally. Human existence is dynamic and complex; man's expression of his inner feelings are always the product of sveral factors and ideas reacting upon the individual and interracting within him. Thus wailing may be the result of other factors. Such factors may have been:

1. an effort to avoid suspicion of having been accessory to the death.

2. to affect the departed in some way by propiation of the gods and thus opening the gates of heaven for the departed through wailing(The Hasidic legend of the boy whose whistling broke through to heaven when prayer failed is a

example of this widely held belief).

3. to call forth corresponding feelings in the deceased, so that the dead person would act in an intercessionary capacity for the living. It was not merely a question of זכות אבות, of the merit of the fathers, or of the atoning death for mankind of Jesus. The grace of any righteous soul that died was felt to favor the living.( 27)

The task of wailing became one which went beyond the intuitive cries of the immediate family and close friends. Professional wailers or lamenters were required. These professionals were mentioned in the Bible, just as the custom of wailing is mentioned. The prophet Jeremiah, to cite only one passage, tells the people "to call for the mourning women, that they may come"(for thus saith the Lord)(28). References to wailing and weeping also abound in the Bible. Isaiah linked weeping and lamentation with other signs of mourning, of baldness and girding with sackcloth.(29). The letter of James told the sinners to"be wretched and mourn and weep"(30) The Talmud gave careful instructions as to wailing and the hiring of wailers for a funeral. Thus:

> R. Jehudah said: Even a poorest man who is in Israel may not hire less than two flutes and one professional wailer.(31).

These women developed formulae or special dirges to be used in their work. Some of these dirges have been saved in Moed Koton(32). For example, two such laments are:

1. Cry woe for him who has gone
   Cry woe for the pain.

2. This death or that death(is the end of the quest)
   Our bruises are the rate of interest.

A logical development from the dirges and lamentations of the professional mourners was the funeral oration. These were delivered at the halting places and at the graves. At first a funeral oration was only delivered for a very important person in the community, but soon the practise spread to others. The funeral orations given in Moed Koton 25b, in Megillah and in Ketuboth(33) are short epigrammatic statements rather than the lengthy funeral eulogy of this age. It is quite possible that these euologies of the Talmud are only fragments of much longer eulogies which have been lost. The fact that these funeral orations usually begin with the word: תנא , began, would suport the contention that only fragments have been preserved, and these fragments are the introductory remarks by the speaker.

The funeral speaker was usually a professional speaker hired for the funeral. Sometimes the words of the speaker caused resentment among the people. Either the speaker would unduly exaggerate the praise of the deceased or not say enough about him. An interesting story is told in Beracoth(34) of a funeral orator who was criticized for calling a man,"modest in all his ways". In defending the criticism, the Talmud said:

> Just as the dead are punished(if they are sinners) so the funeral orators are punished(for uttering false eulogies) and those who answer Amen after them(are also punished).

To give an example from one funeral oration,

> When the soul of R. Zera went into repose the orator of that occassion opened (his oration) thus:
> The land of Shinear was his home of birth;
> The land of glory reared her darling to fame.
> "Woe is me", said Raketh in lament,
> For she hath lost her choicest ornament.(35)

To return to the funeral procession, the mourners and friends marched to the cemetery which was at least 50 cubits(25 yards) outside the city.(36) Not all the funerals had such processions. There was no procession for a still-born child. For a child, a day old, there was no bier. He was placed on the bosom of his mother and carried to the grave, accompanied by two men. A child of 30 days old was placed in a small coffin, כרסוס, and carried to the cemetery by two men.(37) (38); a child a year old, in a larger coffin which was born to the cemetery on the shoulders of two men; of three years old, a bier and was treated with full respect.(39) At these funerals for the very young the lamenting was eliminated and the wailers were silent. Young people who died between 20-30 years of age were buried as if they were engaged people(40). Kings were buried, according to Josephus, in an especially solemn manner. The corpse of Herod was carried out in a richly adorned coffin by his sons and near relatives.(41) There were said to be 36,000 pall-bearers at the funeral of King Hezekiah, according to Baba Kama.(42)

There were two types of people who did not have to attend funerals. One was the king. He did not have to follow after the funeral procession for relatives, so that the people would not see him in his pain. If he desired to go after the bier, he might.(43)

The priest was the type of person who was exempt from following after the bier and attending the funeral. It might be worthwhile to consider the whole question of priestly defilement at this time. The basic operating hypothesis was that the priest

was holier than the "Israelite", and since death defiled and made unclean, the priest had to protect himself from defilement for he gave vicarious cleanliness and holiness to the rest of the people. To prove part of the above statement:

> A peasant was passing with an ox-goad on his shoulder and he was declared unclean in virtue of(the law of )utensils which overshadowed the dead. (44).

And to cite the Biblical passages which forbade priestly mourning and defilement:

> And the priest that is highest upon his brethren, upon whose head the anointing oil is poured, and that is consecrated to put on the garments, shall not let the hair of his head go loose, nor rend his clothes; neither shall he go in to any dead body, nor defile himself for his father, or for his mother, nor profane the sanctuary of his God; for the consecration of the anointing oil of his God is upon him. (45)

> And they shall come near no dead person to defile themselves; but for father, or for mother, or for son, or for daughter, for brother, or for sister that hath had no husband, they may defile themselves.(46)

From the latter passage in Ezekiel, the definition of a close relative was established. One must mourn for that person who bears the same relationship to him that the priest bore to those for whom he might be defiled.

Mishnah Sanhedrin elaborates on what constituted defilement for the high priest, and what he may do when in mourning.

> If any of his near of kin die he may not follow after the bier, but he may go forth with the bearers as far as the city gate, if he and they come not within sight of one another. So R. Meir, but R. Judah says: He may not go forth from the Temple, for it is written: Neither shall he go out of the Sanctuary. And when he comforts other mourners, the custom is for all the people to pass by, the one after the other, while the appointed priest places him between himself and the people; and when he receives comfort from others, all the people say to him: May we make expiation for thee and he replies, Be ye blessed of heaven. When they make for him a funeral meal, all the people sit around the ground and he sits on a stool. (47).

In the fourth chapter of Semacoth a detailed analysis is given of priestly defilement and some of the ramifications. A priest was obliged(not merely permitted) to mourn for those for whom he might be defiled.( A story is given of a priest whose wife died on Erve Passover and he did not desire to be defiled for her. His friends forced him to become defiled(by mourning) against his will for they said: Mourning is not merely permitted; it is a duty[48). A priest might be defiled for close relatives even if they were blemished(in some ritual way[49). A common priest who was defiled (in a non-permitted way) or who entered a cemetery received 40 lashes as punishment(50); this was also the punishment for a high priest(51).

After the corpse had been interred, the mourners would bid farewell to the corpse by saying: לשלום ,Go in peace, but not לשלח ,Go to peace. This difference in expression was derived from a statement by Jeremiah(52) who said to Zedekiah that he would go to his fathers in peace.(53).

The custom after interment was for the friends of the mourners to line up in two rows some distance from the grave. The mourners would pass through the space between the rows, and the friends would utter words of consolation.(54).

> At first the mourners were standing in one place, and all the people passed by them, but(at one funeral) there were two (distinguished)families in Jerusalem who quarreled with one another as to which family would pass by the mourners first. One family said: We will pass first,and the other family said: We will go first. Thereupon it was ordained that the people would stand in rows and the mourners would pass between them. (55)

On their return from the cemetery the mourners and friends would stop a minimum of seven times and comfort the mourners with words of praise for the deceased.( 56)

The meal of condolence which occurred in the Talmudic culture after the burial ceremony was a sign of the common suffering and represented a symbol of compassion for the bereaved. The meal was prepared by the neighbors and friends of the mourners, and usually had a special food such as eggs or lentils.

> Just as lentils have no mouth, so does the mourner lack a mouth, and just as lentils roll around and then return, so does mourning roll about and return to those who enter the world.(57)

The mourner was forbidden to eat of his own bread on the first day of mourning, according to R. Judah who cited Rab.(58) Ezekiel(59) is used as a proof for this law. Since Ezekiel was forbidden to eat of the bread of men, the rabbis ordained that the mourner must eat of the bread of men(Ezekiel was the exception). Rabbah and R. Joseph alternately provided the repast for one another(at the time of mourning)(60).

Again we must search deeper for the underlying causes for the meal of condolence. The simple explanation does not suffice. Femichel has pointed out that the meal represented (in primitive cultures) a symbolic eating of the flesh of the dead person. (61) Cannibalism is an attempt to destroy completely the corpse and to gain mastery over the feared object;and yet, at the same time, to take within oneself a projection of one's own personality which has been lost, through death. The act of cannibalism is done with extreme repugnance and dread, even by the savage, and is usally followed by a violent vomiting fit, according to Malinowski(62).Through the meal of condolence the useful psychological [illegible]ends served by cannibalism can be still achieved symbolically. The introjection of the lost object ,of internalizing an ego-envolvement destroyed by death, is accomplished by the eating of food.

There are other possible functions for the meal of condolence. A strong belief existed that the dead person could participate in the feast of condolence. In the Gilbert Islands, for example. some of the tribes celebrate the feast before the funeral and in the presence of the corpse. Eating and drinking in the presence of the corpse.is a wide-spread custom in many parts of Europe,as elsewhere. The eating of the special foods at the meal of condolence was supposed to expiate the sins of the deceased by transmitting them to the bodies of those who ate at the meal. (63) The feast was a frequently a farewell meal, a send-off for one who was unwilling to go. At the termination of the meal the deceased was politely but firmly told to leave.(64) The Alorese, a tribe of American Indians, had feasts on the fourth and nineth days after burial, because they felt that the dead person was lonely. (65).

In the next chapter we will consider some duties and prohibitions, customs and ceremonies not as so intimately connected with the funeral proper.

## NOTES TO CHAPTER THREE

1. William Shakespeare, Julius Caesar, Act. 3, Scene 1

2. Theodore Gaster, "Yizkor, the Living and the Dead" p. 239
Commentary Magazine, March, 1953
Vol. 15, No. 3

2A. Bronislaw Malinowski, Magic, Science, and Religion, p. 52-53
Garden City, New York
Doubleday Anchor Books
1954

3. Ketuvoth 17a

4. Semacoth 11:7

5. Sanhedrin 46b

6. Beracoth 18a

7. Encyclopedia of Religion and Ethics, Vol. IV, p. 439

8. Mishnah Moed Koton 3:7

9. Joshua 7:6

10. Genesis 37:34

11. II Samuel 3:31

11.a. Job 1:20 and 2:12

12. Leviticus 10:6

13. Moed Koton 15a

14. Semacoth 9: 21

15. Moed Koton 23b

16. Mishnah Moed Koton 2:7

17. Moed Koton 22b-23a

18. Moed Koton 26b

18A. Joshua Loth Leibman, Psychiatry and Religion, p. 190-192
Boston, Beacon Press,
1948

18B. Ibid, p. 195-196

19. Moed Koton 27b

20. M. Beracoth 3:1

21. Semacoth 10:5
22. Tod und Begrabnis, p. 48
23. Ibid, p. 48
24. Shabbath 153a
25. Beracoth 17b
    Mishnah Megillah 4:3
    Baba Bathra 100b
26. Encyclopedia of Religion and Ethics, Vol.IV, p.426
27. Sanhedrin 47b and Moed Koton 27a
28. Jeremiah 9:17
29. Isaiah 22:16
30. Letter of James, 4:9
31. Mishnah Ketuboth 4:4 and Ketuboth 46a
32. Moed Koton 28b
33. Megillah 6a and Ketuboth 17a
34. Beracoth 62a
35. Moed Koton 28b
36. M. Baba Bathra 4:9
37. Moed Koton 24b
38. Semacoth 3:2
39. Semacoth 3:2
40. Ibid 3:7
41. Josephus, Antiquities 17:9,3)
42. Baba Kama 17
43. Mishnah Sanhedrin 2:3
44. Shabbath 17a
45. Leviticus 21:10-12
46. Ezekiel 44: 25
47. Mishnah Sanhedrin 2:1

48. Semacoth 4:6

49. Semacoth 4:11

50. Ibid 4:13

51. Ibid 4:12

52. Jeremiah 34:4-5

53. Moed Koton 29a (of end of Bez.

54. Mishnah Megillah 4:3

55. Sanhedrin 19a

56. Baba Bathra 100b

57. Baba Bathra 16a

58. Moed Koton 27b

59. Ezekiel 24:17

60. Moed Koton 27b

61. Otto Fenichel, The Psychoanalytic Theory of Neurosis, p. 393-395

62. Magic, Science and Religion, p. 50

63. Encyclopedia of Religion and Ethics, Vol. IV, p. 435-436

64. Ibid

64. Psychological Frontiers of Society, p. 118

# CHAPTER FOUR

## THE MOURNER

The dynamics of grief and mourning in the Talmudic perio-d offer a very fruitful subject of investigation. The tools and techniques of handling bereavement and sorrow were far more highly developed and had a greater basis in reality than do some of the comparable techniques of our modern religions and their approach to death. Such a statement requires a careful defense, and it will be the primary purpose of this chapter to indicate the handling of the grief situation in the Talmudic period with the various motifs and directions established by the rabbis.

In the first place, it may be categorically stated on the basis of even a superficial examination of the available literature that the individual became involved in a very major way at the time of his bereavement with his existential situation and with his own condition. Not only did he rent his garments and participate actively in the funeral, as an actor and not as an audience, but he also was given specific duties to do and prohibitions to observe after the funeral. It was through the ~~the~~ structure of duties and prohibitions that the mourner could work through his grief, find new areas of emotional involvement and re-integrate himself with the community and the world around him. It might be also said ~~that the very fact~~ that the attitudes toward death prevalent at that time also offered solace and support ~~also~~. (see Chapter one)

What were some of these duties and prohibitions, how did they operate and what did they means in terms of the individual needs and the cultural traditions which the individual

inherited? Before this question may be satisfactorily answered, one must look at the precursors of the Talmudic period, the literature of the Bible, and also to find the prevailing tendencies in primitive societies. Through this comparative approach, additional light will be shed on Talmudic methods.

In lower cultures the occurrence of death often tainted the whole village with the uncleanliness of death. This taint of uncleanliness and the taboos associated with them, however, were frequently limited to the immediate family, and to those who came into contact with the corpse, The widow and widower were invariably placed in a ban of one form or another and a majority of the taboos were associated with them. To illustrate, Hastings reports the mourning practises of the natives of the Nicobar Islands.(1) Mourning began at the grave in the presence of the dead at the feast of the dead. The taboos which affected the less immediate relatives and friends of the corpse were abstentions from singing, dancing, adornment of the person and in the house of the dead, abstention from certain foods. The immediate relatives had to abstain for a far longer period from the above-mentioned acts and also had to abstain from certain foods and from smoking. Among the ancient Hurons the lock of hair was cut from the back of the head as a sign of deepest sorrow.(2) Neither husband nor wife was permitted to be remarried during that year. In Bulgaria, for 40 days after the death the men neither shaved nor cut off their hair.(3) The duration of mourning in these primitive societies varied directly according to their philosophy of the after life. They all regarded the dead person as living and were concerned in maintaining the mourning practises until such time that the dead

was at rest. The same reason is the basis for the saying of the Kaddish, and may have been the original cause for the three major periods of mournings(to be discussed later). The living were not only desirous of helping the spirit in the afterworld, but in protecting themselves from further visits by the spirit.(4) Other writers have reported an almost universal taboos against sex relationships, against eating certain foods, and in sitting and sleeping in normal positions(4).

In our own cultural heritage, the literature of the Bible, we find numerous examples to testify that mourning was commonly practised, and that mourning followed a characteristic pattern. The most detailed examples of mourning in the Bible are the stories of the death of the child of David and Bathsheba(5), and the bereavement of Job.(6).

> And the Lord struck the child that Uriah's wife bore unto David, and it was very sick. David therefore besought God for the child; and David fasted, and as often as he went in, he lay all night upon the earth. . . . And it came to pass on the seventh day that the child died. . . . Then David arose from the earth, and washed, and anointed himself, and changed his apparel; and he came into the house of the Lord, and worshipped; then he came into his own house; and when he required, they set bread before him, and he did eat. Then said his servants unto him: What thing is this that thou hast done? thou didst fast and weep for the child, while it was alive; but when the child was dead, thou didst rise and eat bread. And he said: While the child was yet alive, I fasted and wept. . . . But now he is dead, wherefore should I fast? can I bring him back again? I shall go to him, but he will not return to me. (5)

> Then Job arose, and rent his mantle, and shaved his head, and fell down upon the ground, and worshipped,---. (6)

> And they made an appointment together to come to bemoan him and to comfort him. . . They lifted up their voice, and wept; and they rent every one his mantle, and threw dust upon their heads toward heaven. So they sat down with him upon the ground seven days and seven nights, and none spoke a word unto him; for they saw that his grief was very great. (6)

A superficial examination of these passages might bring one to the conclusion that the mourning practises of the

the Biblical period varied considerably. Yet the reaction of David indicates a very natural response to his own grief situation. David actually completed his period of mourning before the death of the child. This phenomenon is called anticipatory grief. David had indeed grieved for the child, and had reacted before the death of the child in the same way that Job acted after his loss. Those who have no warning of death have the most difficulty in recovering from their loss, for the period of anticipation permits one to come to grips with the possibility, almost inevitability, of death. Those whose loss is sudden do not have this time.(7).

From other Biblical passages, verses of which will be cited, a general picture can be developed of the types of practises characteristic of mourning.

> I pray thee, feign thyself to be a mourner, and put on mourning apparel, I pray thee, and anoint thyself not with oil, but be as a woman that had a long time mourned for the dead. (8)

> And the land shall mourn, every family apart;
> The family of the house of David apart, and their wives apart.(9)

> And Ephraim their father mourned many days, and his brethren came to comfort him. And he went in to his wife--(10)

> And the children of Israel wept for Moses in the plains of Moab thirty days; so the days of weeping in the mourning for Moses were ended. (11)

The statement of Ben Sira on mourning for the dead also sheds light on attitudes toward mourning:

> My son, let tears fall over the dead;
> show thy grief and wail out thy lamentation;
> In accordance with what is due to him bury his body;
> And hide not thyself when he expires.
>
> Let thy weeping be bitter and thy wailing passionate;
> And make mourning such as befits him;
> A day or two on account of gossip-
> And be consoled on account of (thy)sorrow.
> For out of sorrow proceedeth bane;
> Even so sadness of heart(prostrateth)vigour.
> Worse than death is abiding sorrow,
> And an unfortunate life is cursed by the heart.(12)

These illustrations taken from the Bible and Apocrypha offer evidence that cultural reactions to death had already been established. The Biblical passages show that a strong taboo against sexual relations operated, that one mourned for a definite period of time, and that there was a formal mourning garb to be worn. The most widely used Biblical passage in this connection was Ezekiel 24:22ff The rabbis inferred that one was to do that which Ezekiel was commanded not to do, since he was an exception(and that is why he was specifically told not to do the usual acts of mourning).(also Jeremiah 16:5ff)

> And ye shall do as I have done;ye shall not cover thy lips, nor eat the bread of men. And your tires shall be upon your heads, and your sandels upon your feet. Ye shall not mourn nor weep;. . . Thus Ezekiel is unto you a sign, according to all that he hath done shall ye do. (13)

Both Moed Kâtân and Semacoth give instructions on what was forbidden and what was permitted. The forbidden acts were:

1. sexual intercourse. אקל אסור קדשאים מטעם
דכתיב וינחם דוד את בת שבע אשתו ויבא
אליה ומכלל דמעיקרא אסור:

> A mourner is forbidden to engage in sexual intercourse for it is written: And David comforted Bathsheba his wife and he came unto her;from this it can be inferred that it was forbidden him(during the period of mourning).(14)

2. immediate remarriage

אף מתה אשתו אסור עד שיעברו עליו שלשה רגלים. רבי יהודה אומר שני רגלים וכבר הם
הרי זקרים אומרים בנמי שיש לו בנים אבל אין לו
בנים או שהיו לו בנים קטנים מותר לו לישא אשה
אחרת בתוך ל' יום.

> If his wife died,it is forbidden to him to marry another woman until three festivals have past(from the time of death). Rabbi Jehudah said: Two festivals(have past) and the third one has begun. To what do these words refer?-to the time when he(the mourner)had sons, but if he had no sons or he had minor children, he is permitted to remarry during the 30 day(period of mourning). (15)

3. wearing sandels

A mourner is forbidden to wear sandels(16)

A mourner and one who had been excommunicated who were walking on a road are permitted to wear sandels, but when they enter the city, they remove them. (17)

4. work

A mourner is forbidden to work for seven days, he and his sons and his daughters and his male servants, and his maid servants and his cattle and as they are forbidden to do work, so are others forbidden to work for them. (18)

However a leniency was established with reference to work just as a leniency had been established with reference to sandels and remarriage and many other of the forbidden acts.

On the first day and on the second day after the burial the mourner may not do any work, even ~~as much as lifting up~~ the charity plate, but on the third day he may go and do work privately.( 19)

5. greetings

A mourner is forbidden to give the usual greeting of peace. (20)

However on the Sabbath when it was forbidden to mourn, it was prohibited not to greet(in Judea).

(21) In Judea they exchanged greetings of peace both on the entering and leaving (of the synagogue) to teach you that there is no mourning on the Sabbath. (In Galilee they did not greet one another on the Sabbath).

6. another house of mourning

Our rabbis taught(in a Baraitha): A mourner is not permitted to go to a house of mourning for the first three days(after burial), but from then on he may go, and he may not sit in the place of comforters but in the place of those who are being comforted.(20A)

7. for the Onan( a person whose dead had not yet been buried)(exempt on Sabbath from this prohibitions)

And he may not recline and eat and he may not eat meat and he may not drink wine and he may not bless and he may not invite others(who are eating with him) to join in grace, and others are not blessing with him nor are they inviting him to say grace. (20B)

8. Phylacteries

A mourner is forbidden to put on phylacteries. Since the All Merciful ordained Ezekial: Bind thy tire upon thee, this implies that everybody else is forbidden(to do so).

9. washing clothes (20D)

A mourner is forbidden to wash his clothes

10. hair (20E)

A mourner is forbidden to cut his hair.

11. washing oneself (20F)

12. studying (20G)

A mourner is forbidden to engage in words of Torah.

One of the most interesting, psychologically speaking, prohibitions is the injunction against excessive grief, and the dangers that result from this.

A woman who lived in the neighborhood of Rab Huna had seven sons. One of them died. She cried excessively for him. Rab Huna sent a message to her."You shouldn't carry on in this manner. She paid no attention to him. He sent to her another message."If you listen to me, it will be good for you, but if not-you had better prepare shrouds for the rest of your sons:-and all of them

died. She continued to cry; finally he sent to her this message: Prepare a shroud for yourself, and she died.(22)

Rab Jehudah cited the words of Rab in connection with the above passage to prove that: כל - המתקשה על מתו ולמד מ"ו - על מת אחר הוא קוכה:

All who mourn excessively over his dead, for another dead person he is (going to) cry (22)

Before analyzing the significance of these prohibitions, let us list the positive duties (in addition to the renting, the meal of condolence, the caring for the corpse).

1. tilting the couch אפילו תיוק קרובות המטה דתנו רבנן בזיון קרובות קרן לעולם הכבוד הוא מטותיהן על פניהן:

A mourner is bound to overturn his couch, because Bar Kappara taught: I have set the likeness of mine image on them and through their sins have I upset it. Let your couches be overturned.(23)

2. covering the head אפילו תיוק קרוקבת הראש מקיש ראשו ל"ה דאמרינן לקיש ראשו ואל תעטה על שפם מכלל שחייב תיוק:

A mourner is obliged to muffle his head. Since the All Merciful commanded Ezekiel: And cover not thine upper lip, we infer that everybody else is obliged (to do so.)(24)

3. participating in the festival celebration אפילו אינו נהנה אפילו קרבן שנאמר וישמח בחגך

A mourner does not ~~deport himself as one in~~ mourning during a festival (that is, he must participate in the festival), as it is said: And thou shalt rejoice in the feast(25)

Of course the variations of these prohibitions and duties, the specific contexts in which the rules were made, and other rules bearing on the same general theme are more thoroughly discussed in both Moed Koto-n and Semacoth.(26). Yet the listing and analysis of the forms of these variations would merely lend further support to the basic contention, that the mourner was helped by the religious culture to accept his state of deprivation and to work through his loss. The function of religion has been to supply appropriate vehicles for dramatizing man's needs in the critical experiences of life.

The dramatic qualities of the laws of mourning are quite clear. Through such positive laws as covering one's head, and tilting the couch, through such negative commandments as "not washing" and "not studying", the mourner was set apart from the rest of the community, and more, importantly, was able to identify himself in a very real way with the corpse. This identification with the dead person and one's relationship to the deceased is of extreme importance for a healthy grief process to occur. Thus, since the dead person was in a state of uncleanliness(dirt), the mourner may not cut his hair or wash, but through outward visible physical signs, he deliberately identifies himself with the deceased. "As you are suffering", says the mourner unconsciously to himself, "so will I suffer". It has often been observed that a mourning person in one or more respects begins to resemble the lost object, that, for example, the mourner's hair becomes gray like the hair of the person he mourns; he develops the sickness which caused the death of his beloved.(27) The extremely common signs of mourning, sackcloth and ashes, also tie the mourner to the dead person and help the identification process to occur.(28)

Mourning consists of two acts, the first being the establishment of an introjection (the adoption of externals(persons or objects)into the self, so as to be personally affected by what happens to them-29), the second, the loosening of the binding to the introjected object. The establishment of such an introjection can best be accomplished by identification with the departed, either through specific acts or through memories-by recalling one's personal relationship with the deceased. An example of the latter means is reported by Lindemann(29):

> When seen by the psychiatrist, she(the woman in the case who made a very successful adjustment to her grief) was glad to have assistance and described her painful preoccupation with memories of her husband and her fear that

> she might lose her mind. . . . It was only after ten days that she succeeded in accepting her loss, and then only after having described in detail the remarkable qualities of her husband, the tragedy of his having to stop his activities at the pinnacle of his success, and his deep devotion to her.(30)

However the grief work can be accomplished also through the specific tools which the society provides, in the world of the Talmud, acts and deeds. As already noted, identification with the deceased on a conscious level is important. Whether that identification is done through recall or through deeds, the end results are the same, the introjection of the deceased within the personality of the mourner, which then in turn permits the mourner to become free of unhealthy dependencies on the deceased.

This process of introjection has another appect, that of punishment. The mourner has guilt feelings and fears that, because in some way he was ~~the~~ responsible for the death of the person, the spirit of the dead person will return and seek revenge and kill him, the living. (31) Grief then has another component, a taming of the wild fears and attitudes of destruction associated with death. We have seen this element in our analysis of renting, and of wailing. But it can also be seen in the other laws of mourning, in all these instances time is an important element. Time must be granted to the mourner to come to grips with the loss and to make the necessary re-adjustments.

The factor of time was one which was recognized by the rabbis. Their grasp of the fundamentals of grief is quite remarkable. Mourning was broken down into five basic catagories, which will be listed, and briefly discussed.

1. Onan-the period of time from the death of the loved one until the burial. In addition to some of the regulations already listed(see page 58), the Onan was exempt from reciting the Shema, from saying the Tefillah, and was forbidden from eating in the same room as the corpse.(32)

2. The first three days of mourning

-the first three days of mourning(after burial) were for crying - was absolutely forbidden.(33)(34)

3. the first seven days of mourning-

-the mourner remained in his home and engaged in no work(although there was a leniency in the law for the poor- one might work in private from the third day onward). He received his friends on low stools, wore no sandals and followed the prohibitions already listed. (35)

4. the first thirty days of mourning

-the "Sh'loshim period was marked by bans against wearing pressed clothes, against haircutting, engagement or marriage. The period of time was based on Deut:

The children of Israel lamented after Moses for thirty days. (36) (37)

5. The first year of mourning

-the mourning regulations for a year, as indicated in Semacoth(38) are only an extension of the rules of the thirty day period, which the orphan must obey. For example,

For all the dead one is forbidden to enter a house of mourning until the thirty days have been completed;for one's father and one's mother, this prohibition lasts for twelve months except if this feast was commanded(to honor heaven)(free translation).(39)

This cursory survey of the major periods of mourning show an acute awareness by the rabbis of the inner needs of the mourner. The very stringent prohibitions for the first periods of mourning are gradually lightened and finally eliminated. This structure, when examined in the light of modern psychological studies, may be said to be good; that is, a positive value judgement may be affirmed of this process. The classic study in grief, "Symptomatology and Management of Acute Grief" by Erich Lindemann(30) points out the major phases in grief and mourning. Normal adjustment may take place after a period of four to six weeks. During the first stage of mourning, acute physical symptoms occur, such as:

1. a feeling of tightness in the throat
2. need for sighing
3. lack of muscular power
4. empty feeling in the stomach
5. intense subjective distress described as tension or mental pain.

If the bereaved person is wise enough to accept these physical pains, discuss his loss, work through the loss, he is making good adjustments. Yet this process does not happen over night. To learn how to extricate oneself from the bonds which ties one to the deceased is painful and difficult. As Lindemann says; It is of the greatest importance to notice that not only over-reaction but under-reaction of the bereaved must be given attention, because delayed responses may occur at unpredictable moments and the dangerous distortions of the grief reaction, not conspicious at first, be quite destructive later and these may be prevented. (40)

Through the combined cultural and religious forces which reacted on the mourner, namely, the laws and the gradual period of time alloted to the mourner and accepted by the community the bereaved one must able to make the necessary adjustments. To quote from Rabbi Liebman;

> when death destroys an important relationship it is essential that someone be found partially capable of replacing that relationship.(41)

Within the Jewish society were the very tools for replacing that lost relationship.

The nature of the involvement of the total community should be examined. The community operated in two ways; one, to help the mourner in a physical way and two, in a spiritual and comforting manner.

The physical support that the group gave to the individual was not limited to the funerals and the duties and obligations connected therewith. His labor may be done for him by others:

> These are the things they may do for the mourner during his week of mourning: If olives had been turned they may put on for him (the beam for the first time), or if his (wine (cask) is to be bunged, or his flax is to be lifted from the retting, or his wool is to be lifted from the dye-bath; and they may sprinkle his field for him when his turn for water-rights arrives. R. Judah says that they may even sow for him the ploughed field or the field awaiting a flax-crop.(42)

Those who worked for the public, such as a hairdresser or a bath-attendant, was permitted to work, if there were no other such worker in the town and if the Festival was near at hand. Thus the community served the mourner, and the mourner, if necessary, could serve the community. A strong sense of loyalty and unity bound them one tothe other.

In a spiritual way the community helped the mourner. On the third day, one would say to the mourner (at the Temple Mount):

הַמָּקוֹם יְנַחֵם אֶתְכֶם

May He who dwells in this house comfort you.(43)

Laws were established about a mourner greeting a fellow mourner with words of consolation:

> A mourner who finds his friend in mourning, during the first thirty days he speaks with him words of consolation, but he does not ask his well being. After thirty days he inquires about his health, but he doesn't speak with him words of consolation.(44)

The tapering off process is clearly evident in the previous passage. The following passage completes the picture which began with the regulations at the time of the death. After a year the heart of the mourner should have been healed, and any further word of consolation only opens up the old wounds.

המוצא את חברו אחר שנים עשר חדש ואומר עמו תנחומין: למה הוא דומה? לאדם שישברה רגלו ומיתה. מצאו רופא ואמר לו: כלך אצלי שאני שוברה וארפאנה כדי שתדע שסממניי יפין: [illegible]

If one meets a fellow mourner after twelve months and he speaks with him consolation; to what may he be compared? To a man whose leg was broken and it healed. A doctor met him and said to him: "Come to me and let me break it and set it again, to convince you that my drugs are good."

An interesting area of mourning law is the relationship between the festivals and the mourning regulations. The festivals cancel certain of the decrees connected with mourning. The regulations and their exact effect of the holidays are discussed in great length in both Semacoth and Moed Katan. (45) In all cases discussed, the ultimate principle was leniency, that is, the laws of mourning were abrogated when a conflict arouse with the laws of the festival. The psychodynamics of the festival may have served the reintegration process to such an extent that the specific laws of mourning(in public)could be postponed(or cancelled)by the festival.

In conclusion, may it be said that the insights of a system of halacoth have been lost in our times. This is not to urge a reintroduction of any system of Talmudic legalism, but to note that the factors which forced the mourner to confront on a realistic level his bereavement have been lost today.

## NOTES TO CHAPTER FOUR

1. Encyclopedia of Religion and Ethics, Vol. IV, p. 439
2. Ibid
3. Ibid
4. Ruth Benedict, Patterns of Culture, New York, The New American Library 1934
5. II Samuel 12:15ff
6. Job 1:20 and Job 2:11 ff
7. Erich Lindemann, Symptomatology and Management of Acute Grief American Journal of Psychiatry, Vol. 101, No. 2 Sept., 1944, p. 147
8. II Samuel 14:2
9. Zechariah 12:10
10. I Chronicles 7:22
11. Deuteronomy 34:20
12. Ben Sira 38:16-20
13. Ezekiel 22:22-24
14. Moed Katan 15b
15. Moed Katan 23A and Semacoth 7:15
16. Moed Katan 15 b
17. Semacoth 5:12
18. Semacoth 5:1
19. Semacoth 6:6
20A. Moed Katan 21b
20B. Moed Katan 23b
20C. Ibid 15A
20D. Ibid
20E. Ibid 14b
20F. Ibid
20G. Ibid 15A

21. Moed Katan 27b
22. Ibid
23. Moed Katan 15a-b
24. Moed Katan 15a
25. Moed Katan 14b
26. Moed Katan 14-15 and Semacoth 5 and 6
27. The Psychoanalytic Theory of Neurosis, p. 394
28. Ibid
29. Webster's Collegiate Dictionary, Fifth Edition, p. 529
30. "Symptomatology and Management of Acute Grief", p. 143
31. The Psychoanalytic Theory of Neurosis, p. 395
32. Moed Katan 23b and Beracoth 18b
33. Moed Katan 27b
34. Semacoth 5:1
35. Moed Katan 23a
36. Deuteronomy 34:20
37. Semacoth 7:12, 9:12 and 15; and Moed Katan 23a
38. Semacoth 6
39. Semacoth 9:15 and Moed Katan 22b
40. "Symptomatology and Management of Acute Grief", p. 147
41. Peace of Mind, Joshua Loth Liebman, p. 115
New York, Simon and Shuster, 1946
42. Moed Katan 11b
43. Semacoth 6:11
44. Moed Katan 21b
45. Moed Katan 19a and Semacoth 7

## BIBLIOGRAPHY


1. סדר עולם
Wien 1840
F. Edler v. Schmid & J. Busch

2. תורה
Published by Phillip Feldheim Shulsinger Bros. New York, 1948

3. משנה תורה
edited by Michael Higger New York, Bloch Publishing Co. 1931

4. Biblia Hebraica edidit Rud. Kittel Stuttgart, Privileg. Wurtt. Bibelanstalt 1949

5. The Jewish Encyclopedia
New York Funk and Wagnell Co. 1901

6. Ruth Benedict, Patterns of Culture
New York, New American Library 1934

7. Ernst Cassirer An Essay on Man
Garden City, New York Doubleday and Co. 1953

8. Erik H. Erikson Childhood and Society
New York, W. W. Norton and Co. 1950

9. Otto Fenichel The Psychoanalytic Theory of Neurosis
New York, W. W. Norton and Co. 1945

10. Vergilius Ferm editor An Encyclopedia of Religion
New York; Philosophical Library 1945

11. Henri Frankfort et al Before Philosophy
Harmondsworth, Middlesex Penguin Books 1949

12. Solomon Freehof Reform Jewish Practice, Vol.1 and 2
Cincinnati, Hebrew Union College Press 1944 and 1952

13. Edgar Goodspeed translator The Apocrypha and the New Testament
Chicago, The University of Chicago Press 1939

14. Theodore Gaster — "Yizkor, the living and the dead" New York, Commentary Magazine Vol. 15 No. 3 March, 1953

15. James Hastings editor — Encyclopedia of Religion and Ethics New York, Charles Scribner's Sons 1912

16. Abram Kardiner and associates — Psychological Frontiers of Society New York, Columbia University Press 1945

17. Dr. S. Klein — Tod und Begrabnis in Palastina zur Zeit der Tannaiten Berlin, Verlag von Louis Lamm 1908

18. Joshua Loth Liebman — Peace of Mind New York, Simon and Shuster 1946

19. Joshua Loth Liebman editor — Psychiatry and Religion Boston, BeaconPress, 1948

20. Erich Lindemann — "Symptomatology and Management of Acute Grief" American Journal of Psychiatry Vol. 101 No. 2 Sept. 1944

21. A. Marmorstein — Studies in Jewish Theology London, Oxford University Press 1950

22. Bronislaw Malinowski — Magic, Science and Religion Garden City, New York Doubleday Anchor Books 1954

23. Paul Schilder — Goals and Desires of Man New York; W.W.Norton and Co., 1942 1942

24. Hayyim Schauss — The Lifetime of a Jew Cincinnati; Union of American Hebrew Congregations 1950

25. Dr. Moses Buttenweiser — "Blood Revenge and Burial Rites in Ancient Israel" Journal of the American Oriental Society Vol. 39, Part V, 1912 p. 304-330